

February 24, 2001

FCC Commissioners:

Attached are nine letters which all state their strong OPPOSITION to the FCC Docket 00-221 regarding the sale of the 216-217 MHz which is currently be used for the Special Educational needs of handicapped children and especially for the educational needs of hearing impaired children. The attached opposition letters are from:

1. Brian and Michaela Henderson
2. Eva D'Agostino
3. Joann DeBettencourt
4. Kate Liautaud Liska and Sheila Rose
5. Linda C. Zarro
6. Martina Avalina
7. Rae Carter
8. William D'Agostino
9. John Flanders

10. Also included is a copy of Daniel's latest progress report from the Oak Bluffs School, in Oak Bluffs, Massachusetts.

Sincerely,

Brian and Michaela Henderson  
P.O. Box 588  
Oak Bluffs, MA. 02557

brimichh@tiac.net

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No. of Copies rec'd 013  
List A B C D E

John Flanders  
Childrens Rights Advocate  
AG Bell Association for the Deaf and Hard of Hearing

February 19, 2001

Re: FCC may sell FM Band 216-217 MHz

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FCC MAIL ROOM

To whom it may concern,

"No Child to be left behind" by the new Secretary of Education, Paige.

We are writing as the Parents of a deaf boy who hears with a cochlear implant. My son Daniel lost his hearing at age 3, due to Spinal Meningitis. We are grateful for the tremendous success Daniel has had in school and in life in general as a suddenly deafened child. Daniel is a very bright child and does very well in his mainstream First grade class with his peers. But Daniel is very dependent on his FM System to participate in this mainstream class. This FM System keeps him independent in first grade. With out this FM system, Daniel would be dependent on secluded special education classes. With special education teachers who are already overworked and under staffed. Not a good way for the government to try to save money, in fact this will only cost the system more in the long run, with extra special education teachers. And the fact that these students won't have access to what the classroom is studying. In the long run, these students will end up with a poor education, poor paying jobs, at a higher than normal risk to crime and drug abuse, and more social security drawn from the system. The FM System in the classroom seems to be the most economical way for an independent education. A little prevention goes a long- long way.

In the State of Massachusetts, the Educational Law states that every child has the right to learn in the "Least Restrictive Environment". The FM System is one way to help these children learn.

Tell me please as the parents of a deaf child, how can you consciously consider to "pull the educational rug" out from under my son? How do you expect to save monies by the auction of 216-217 MHz band? This very band was set aside by the Federal Government to assist those who need this FM service. My son Daniel needs his FM System in his educational setting. Do not rob Daniel and the thousands of other children of their futures.

Sincerely,

Brian and Michaela Henderson

*Brian A. Henderson, Michaela Henderson*

Proud parents of our deaf son Daniel Henderson, 7 years old.

P.O. Box 588  
Oak Bluffs, MA. 02557

brimichh@tiac.net

From: EvaNick323@aol.com  
Date: Fri, 16 Feb 2001 13:49:32 EST  
Subject: I've been busy  
To: brimichh@tiac.net  
MIME-Version: 1.0

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Kayla: I've e-mailed the letter--made a few changes. See below. Letter went to Congresswoman DeLauro, Senators, Lieberman and Dodd and Secretary of Education Paige. Paige just made an address entitled "No Child Left Behind," so I put that in his header and added FM216-217 MHZ Band for Deaf Children. I only changed the first paragraph to keep it all on one page. I also left the misspelling in the center, because I was quoting what was e-mailed to me, added (sic) Am mailing hard copy to all of above.

My seven year old grandson, Daniel, has been profoundly deaf since the age of three as a result of meningitis. Within seven months of his illness, he received a cochlear implant. Although the cochlear implant is a miracle in its own right, it can not replace normal hearing and other support systems like the FM system in the school are essential. A bright first grader, he depends on his FM system in school to increase his interaction with his teacher and classmates.

The following forwarded message from the AG BELL National Office is of great concern to me:

#### ACTION ALERT: FCC MAY SELL FM BAND

Many deaf and hard of hearing children are able to participate fully in regular classroom education with the aid of FM systems. These devices allow the teacher, or other speaker to talk into a small microphone, which transmits their voice directly to the child's (sic) hearing aid. This reduces the impact of poor acoustics and classroom noise and allows the child to hear what she needs. The Federal government understood the value of this service and had set aside a part of the radio spectrum 216-217 MHz for use by these devices.

Unfortunately, priorities have changed in Washington, and as a part of the deficit reduction package Congress has directed the Federal Communications Commission to auction off parts of the spectrum to commercial users. Among the bands currently being considered for auction is 216-217 MHz. Secretary Paige, we can not do this disservice to our children. I would appreciate every effort on your part to make sure that the future of deaf children is not shortchanged by this ill-thought plan to auction off the 216-217 MHz bands.

Thank you for your attention.

Sincerely,  
Eva D. Agostino

Date: Thu, 22 Feb 2001 11:33:14 -0500  
Subject: radio spectrum  
To: jflanders@agbell.org  
Cc: <mailto:info@advancedbionics.com>, brimichh@tiac.net  
From: "Joann DeBettencourt" <Joann\_DeBettencourt@fc.mv.k12.ma.us>  
MIME-Version: 1.0

I have just heard that the FCC is interested in auctioning off the radio spectrum 216-217 MHZ to help reduce the deficit. This particular spectrum is essential to hearing impaired children in a mainstreamed classroom setting. Selling this would be extremely detrimental to their successful participation in the classroom.

I have worked closely with a student using the FM system as an assistant in a kindergarten classroom. I have personally observed the importance of this device to his learning. This system enabled him to focus on instruction while reducing background noise.

I urge you to reconsider your position for the sake of the many children and teachers who depend on this essential device.

Sincerely,  Joann DeBettencourt

John Flanders  
Children's Rights Advocate  
AG Bell Association for the Deaf and Hard of Hearing  
2000 M Street, NW  
Washington, DC 20036

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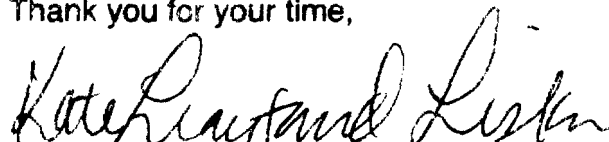
FCC MAIL ROOM

February 13, 2001

To whom it may concern,

It has been brought to our attention that the FCC is interested in auctioning off the radio spectrum 216-217 MHz to help reduce the deficit. This particular spectrum is vital to hearing impaired children in a mainstreamed classroom setting and to sell it off would be extremely detrimental to their successful participation in such settings. As a Teacher of the Deaf, I have used an FM system for 10 years in various settings. I cannot stress the importance of this device to aid in their listening capabilities and to eliminate background noises that may otherwise distract them to the point where learning can not occur. As a regular classroom teacher I depend on this system daily to reinforce attention and have only witnessed the benefits of having one in my classroom. Please reconsider your position for the sake of so many children that would be lost without it.

Thank you for your time,



Kate Liautaud Liska, MS, CED



Sheila Rose - Classroom Teacher

Date: Mon, 12 Feb 2001 13:56:07 -0500  
Subject: FCC MAY SELL FM BAND  
To: jflanders@agbell.org  
Cc: brimichh@tiac.net  
From: "Linda C. Zarro" <lzarro@fc.mv.k12.ma.us>  
MIME-Version: 1.0

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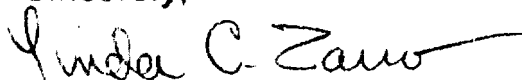
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John Flanders  
Children's Rights Advocate

Dear John,

According to Massachusetts Educational Law, every child has the right to learn in the "Least Restrictive Environment." Limiting a child's ability to learn by preventing the child from receiving free and equal access to education is unconscionable. I work with a student who has made tremendous gains in his social and academic learning that otherwise would not have been realized if not for the use of an FM System. I support AG Bell in protection of the radio spectrum 216-217 MHz for continued use of personal FM devices.

Sincerely,



Linda C. Zarro M.A., SLP-CCC

Date: Mon, 12 Feb 2001 10:11:23 -0500  
Subject: FM Systems  
To: brimichh@tiac.net  
From: "Martina Avalina" <mavalina@fc.mv.k12.ma.us>  
MIME-Version: 1.0

Oak Bluffs Elementary School  
Oak Bluffs, MA 02557  
February 12, 2001

To Whom It May Concern at the FCC:

I am writing as a special education teacher concerning the sale of the Fm Band 216-217 MHz. Over the years I have had the opportunity to work with students who were in need of FM trainers in order to participate and be integrated into regular classroom settings. These devices have been a tremendous asset to the students and teachers. It is hard for me to believe you would consider jeopardizing a child,s right to participate and learn. The children I have worked with have been bright and have much to contribute to their classrooms and the world.

Please do not let this happen. Set aside this frequency for those who really need it.

Sincerely,

Martina Avalina  
Special Education Teacher

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Date: Thu, 22 Feb 2001 09:41:46 -0500  
Subject: 216-217 MHZ  
To: jflanders@agbell.org  
Cc: brimichh@tiac.net  
From: "Rae Carter" <rcarter@fc.mv.k12.ma.us>  
MIME-Version: 1.0

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FOOD MAIL ROOM

February 22, 2001

To Whom It May Concern,

It has been brought to my attention that the FCC is interested in auctioning off the radio spectrum 216-217 MHZ to help reduce the deficit. This particular spectrum is essential to hearing impaired children in a mainstreamed classroom setting. Selling this would be extremely detrimental to their successful participation in the classroom.

As a regular classroom teacher using an FM system, I can attest to the importance of this device for learning to occur. This system enables hearing impaired children to focus on instruction, while background noise is reduced.

Please reconsider your position for the sake of the many children and teachers who depend on this essential device. Thank you for your concern.

Sincerely,

Rae Carter





Date: Thu, 22 Feb 2001

OPPOSITION TO AUCTIONING THE 216-217 MHz SPECIAL  
EDUCATION BAND FCC Docket Number 00-221  
Comments Submitted on February 22, 2001

COMMENTS OF WILLIAM L. D'AGOSTINO

I am strongly opposed to the proposal of sale the 216-217 MHz Educational Band. This Educational Band is normally used for Special Educational needs such as for teaching deaf and hearing impaired children! The elimination of this needed Special Educational Band is NOT in the best interest of our nation and would discriminate against the handicap and especially against hearing impaired disabled children!

Specifically, many hearing impaired children are able to participate fully in regular classroom education with the aid of low power FM radio systems utilizing the 216-217 MHz Educational band. These FM radio devices allow the teacher, or other speakers, to talk into a small microphone, which transmits their voice directly to the hearing impaired child's hearing aid. This significantly reduces the impact of poor acoustics and classroom noise. Otherwise, the hearing impaired child would be unable (or severely hindered) to hear what he or she needs.

The Federal government understood the value of this FM radio service and had set aside a part of the radio spectrum at 216-217 MHz for use by these devices.

Unfortunately, the Federal government has forgotten its priorities, and as a part of the deficit reduction program, Congress has directed the Federal Communications Commission to auction parts of the radio spectrum to commercial users. Among the bands currently being considered for auction is 216-217 MHz.

I am strongly opposed to the auctioning of the 216-217 MHz Special Educational Band which assists hearing impaired children.

In addition, my nephew is a profoundly deaf child who depends on this 216-217 MHz Special Educational FM Radio Band. At the age of three, he was stricken with meningitis which completely stole his hearing. Through the miracle of technology, my nephew was implanted with a cochlear implant (an electrode implanted into the audio nerve), and now he can "hear" 16-tones which his brain can translate into sound. This system is nothing short of a miracle, however, it

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FCC MAIL ROOM

can never replace the hearing of a normal child.  
Because of this significant handicap, my nephew relies on the 216-217 MHz Special Educational FM Band as his elementary school teacher wears a 216-217 MHz FM microphone-transmitter which broadcasts the teacher's speech directly to a 216-217 MHz FM radio receiver which is directly in front of my nephew on his school desk. Without this 216-217 MHz Special Educational FM Band, my nephew would be overwhelmed by the "normal" background classroom noise which would stifle his education because he would be unable to understand his teacher.

My nephew is only one example of the thousands of hearing impaired children who rely on this vital 216-217 MHz Special Educational FM Band!

I strongly urge the FCC not to sell the 216-217 MHz Special Educational FM Band!

Thank you.  
William D'Agostino  
19 Douglas Drive  
Hamden, CT 06518  
Email: [william\\_dagostino@yahoo.com](mailto:william_dagostino@yahoo.com)

Date: Tue, 6 Feb 2001

FORWARDED MESSAGE FROM AG BELL NATIONAL OFFICE.  
Please take the time to respond to this request.

#### ACTION ALERT: FCC MAY SELL FM BAND

Many deaf and hard of hearing children are able to participate fully in regular classroom education with the aid of FM systems. These devices allow the teacher, or other speaker to talk into a small microphone, which transmits their voice directly to the child's hearing aid. This reduces the impact of poor acoustics and classroom noise and allows the child to hear what she needs. The Federal government understood the value of this service and had set aside a part of the radio spectrum 216-217 MHz for use by these devices.

Unfortunately, priorities have changed in Washington, and as a part of the deficit reduction package Congress has directed the Federal Communications Commission to auction off parts of the spectrum to commercial users. Among the bands currently being considered for auction is 216-217 MHz. Naturally, AG Bell is strongly opposed to this sale, and we in the Volta Bureau are working hard to preserve this important resource for our children. To do this we need your help.

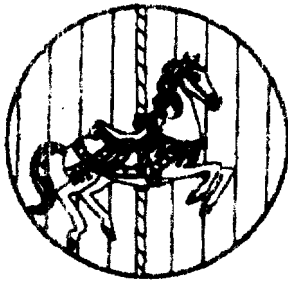
AG Bell is working in coalition with Self Help for Hard of Hearing People and the Hearing Industry Association to protect this band. As part of this effort we will be submitting formal comments to the FCC opposing the sale of this band. Our comments will focus on the importance of FM systems to the education of deaf and hard of hearing children.

This is where your help is absolutely vital. Our comments need to include information on the experience of people throughout the country with FM systems. We are asking for each chapter to pass this request to its members. We need member's comments on the importance of an FM system to their child's education. We also need to hear if you have had problems with your FM, particularly problems related to interference from outside sources.

This is a time for you to contribute to an absolutely vital goal, protecting our children's access to information in school. But time is short. Our comments must be submitted to the FCC by no later than February 22, 2001.

Please send us your stories immediately so that we may paint an accurate picture of the importance of this technology. Comments should be sent to the Children's Rights Advocate by email at [jflanders@agbell.org](mailto:jflanders@agbell.org), or mail them directly to:

John Flanders  
Children's Rights Advocate  
AG Bell Association for the Deaf and Hard of Hearing



**Oak Bluffs School**  
P. O. Box 1325  
Oak Bluffs, Massachusetts 02557-1325  
(508) 693-0951  
Fax (508) 693-5189

**Laury Binney**  
*Principal*  
**Susan Webb**  
*Assistant Principal*  
**Bill Jones**  
*Counselor*  
**Carmen Wilson**  
*Counselor*

**School District Contact Person: Martina Avalina**

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## **Progress Report**

February 5, 2001

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**Student Name: D. Henderson    DOB:    1/17/94    ID#:    Ob 97-23**

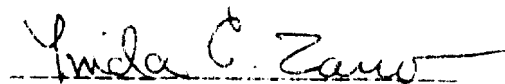
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### **Progress Report Information**

**Goal. Daniel will increase auditory management, phonological skills and language skills.**

Daniel has demonstrate growth in all areas of speech, language and auditory management. He is able to carry on a lengthy conversation while maintaining the topic and contributing information. He asks appropriate questions and offers comments in both an individual setting as well as in the classroom. He has become familiar with various idiomatic expressions and multiple meaning words and demonstrates an understanding of them within the classroom context. His "Word Box" has helped to support his growing range of vocabulary words. His FM has enabled him to fully participate in a mainstreamed environment and is used on a consistent basis. Daniel's speech contains minor articulation distortions in the production of the /s/ and /z/ phonemes in all word positions. Daniel is presently working on producing these phonemes with more clarity. Daniel continues to be a compliant enthusiastic worker and fully participates in all aspects of his school day.

  
Kate Liska M.S., CED

  
Linda C. Zarro M.A., SLP-CCC